



HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING  
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**TECHNICAL STAFF REPORT**  
**Petition Accepted on May 16, 2007**  
**Planning Board Meeting of August 23, 2007**  
**County Council Hearing to be scheduled**

**Case No./Petitioner: ZRA-87 – Club Pooche**

**Request:** To amend Section 122.B. of the Zoning Regulations to add a new section to allow Pet Grooming and Daycare in the M-1 zoning district.

**Department of Planning and Zoning Recommendation:**  
**APPROVAL WITH MODIFICATIONS**

**I. DESCRIPTION OF PROPOSAL**

- The Petitioner proposes an amendment to Section 122.B. of the Zoning Regulations to add a new section to allow Pet Grooming and Daycare in the M-1 zoning district.
- The Petitioner states that the amendment is appropriate for the M-1 zoning district and is consistent with other allowed uses. Allowing the use in the M-1 zoning district will provide opportunities for pet grooming and daycare that are not now available. The petition states that all Pet Grooming and Daycare activities will be conducted indoors.
- The proposed amendment would add text to Section 122.B. as follows (CAPITALS indicate text to be added):

**B. Uses Permitted as a Matter of Right**

**42. a. PET GROOMING AND DAYCARE**

**II. EXISTING REGULATIONS**

Currently, the Zoning Regulations do not contain a provision for Pet Daycare. The proposed amendment would add this new term to the Zoning Regulations.

Pet Grooming Establishments are currently permitted as a matter of right in the B-1, B-2 and SC zoning districts, and are not permitted as a matter of right or Conditional Use in any other non-residential zoning district.

Pet Grooming Establishment is defined in Section 101.A.116 as “An establishment which for a fee trims, cleans or curries domestic pets such as dogs or cats, and which may sell pet supplies. This term does not include establishments which board pets”.

Kennels are currently permitted as a matter of right in the B-2 and M-2 zoning districts. They are a permitted Conditional Use in the B-1 and B-R zoning districts.

(Pet Grooming Establishments and Kennels are allowed in the RC, RR, or R-20 zoning districts as Conditional Uses; however, for comparison to the proposed amendment, the chart below shows only non-residential zoning districts.)

A 100 foot setback from any residential district is required in the M-1 zoning district. A 150 foot setback from any residential district is required in the M-2 zoning district. Both zoning districts require a 50 foot setback from any external or internal public street right-of-way.

	B-1	B-2	M-1	M-2	SC	B-R
Kennels as currently allowed	CU	P		P		CU
Pet Grooming as currently allowed	P	P			P	
Proposed Kennels			P*			
Proposed Pet Grooming & Daycare	P*	P*	P	P		

P = Permitted as a matter of right

CU= Conditional Use

\* = Department of Planning and Zoning recommendation

### III. BACKGROUND INFORMATION

#### A. Scope of Proposed Amendments

- Permitted uses in the M-2 District include all uses permitted as a matter of right in the M-1 District; therefore, the proposed amendment would add Pet Grooming and Daycare as uses permitted as a matter of right in the M-1 and M-2 zoning districts (see chart above).
- Pet Daycare would be added to zoning districts which currently allow Pet Grooming.
- Kennels would be added as a use permitted as a matter of right in the M-1 zoning district.

### IV. EVALUATIONS AND CONCLUSIONS

#### A. Relation to the General Plan

- The Petitioner states that the amendment would be in harmony with the Howard County General Plan Policy 4.4, "Make efficient use of land resources for long-term economic growth".

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This policy recommends protecting the supply of uncommitted land suitable for target industries by amending the Zoning Regulations to more strictly limit retail uses in the PEC, M-1 and M-2 zoning districts and ensuring that retail space in these districts is accessory to permitted uses only. The proposed use however would not be a retail use which contributes to auto-truck traffic conflicts that occur when retail is located in industrial areas (pg. 86).

The proposed amendment would be generally harmonious with General Plan policies which encourage redevelopment of the US 1 Corridor including expanded residential uses, the area where the M-1 and M-2 zoning districts are most concentrated. The proposed use would serve the increasing number of residents in the US 1 Corridor area.

Pet Daycare has not previously been a needed category in the Zoning Regulations since it is a relatively new practice which is becoming more common as today's population provides more attention to and amenities for pets.

**B. Relation to the Zoning Regulations**

- Currently, the Zoning Regulations do not contain a provision for Pet Daycare. The proposed amendment would add this new term to the Zoning Regulations. Pet Daycare would be of comparable intensity of use to Pet Grooming Establishments and would not entail the boarding of pets.
- Pet Grooming Establishments are currently permitted as a matter of right in the B-1, B-2 and SC zoning districts, and are not permitted as a matter of right or Conditional Use in any other non-residential zoning district. Because Pet Grooming Establishments and Daycare would be of comparable intensity, the Department of Planning and Zoning recommends that the Zoning Regulations be amended to allow Pet Daycare as a matter of right in the B-1, B-2 and SC districts, the districts which currently allow Pet Grooming Establishments as a matter of right.
- Kennels are currently permitted as a matter of right in the B-2 and M-2 zoning districts. They are a permitted Conditional Use in the B-1 and B-R zoning districts.

The proposed new use category, Pet Daycare would be conducted indoors according to the petition (presumably, except for walking of animals). Setback requirements are addressed in the Zoning Regulations for the M-1 and M-2 districts, so no additional setbacks are necessary.

Kennels, which are permitted as a matter of right in the B-2 and M-2 districts may have outdoor pens or runs, and are a more intensive pet related use than Pet Daycare or Pet Grooming Establishments which would not entail outdoor activities or boarding of pets. The proposal to operate a less intensive use in the M-1 zone than the permitted kennels in the B-2 zone is a logical use for the M-1 zone, a light manufacturing zone of intensity between the B-2 and M-2 districts.

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By the same reasoning, if Kennels are a permitted use in the B-2 district, and the M-1 district allows more intense uses than B-2 as a matter of right, then Kennels should be allowed as a matter of right in the M-1 district. Therefore, the Department of Planning and Zoning recommends that the Zoning Regulations be amended to allow Kennels as a matter of right in the M-1 district.

**C. Agency Comments**

The following agencies had no objections to the proposed amendment:

1. Department of Inspections, Licenses and Permits
2. Department of Fire and Rescue Services
3. Bureau of Environmental Health

**V. RECOMMENDATION APPROVAL WITH MODIFICATIONS**

- For the reasons noted above, the Department of Planning and Zoning recommends that the request to amend Section 122.B. of the Zoning Regulations to add a new section to allow Pet Grooming and Daycare in the M-1 Zoning District be DENIED as submitted, and APPROVED with the following modifications (CAPITALS indicate text to be added; text in [[brackets]] indicates text to be deleted):

**Section 118 (B-1, Business: Local District):**

**B. Uses Permitted as a Matter of Right**

39. Pet grooming establishments AND DAYCARE, COMPLETELY ENCLOSED.

**Section 119 (B-2, Business: General District):**

**B. Uses Permitted as a Matter of Right**

64. Pet grooming establishments AND DAYCARE, COMPLETELY ENCLOSED.

**Section 122 (M-1, Manufacturing: Light District):**

**B. Uses Permitted as a Matter of Right**

27. KENNELS
28. Laundry or dry cleaning establishments or plants.
29. Manufacturing, compounding, assembling or treatment of articles or merchandise from previously-prepared materials such as ceramics, clay, cloth, cork, fiber, glass, leather, paper, pipe, plastics, precious or semi-precious metals or stones, wire, and wood.
30. Manufacture, compounding, processing or packaging of pharmaceuticals, biotechnical products and cosmetics.

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31. Manufacture and assembly of apparel, decorations, firearms, furniture, household appliances, household goods, jewelry, musical instruments, paper products, rubber and metal stamps, sporting goods, toys, and similar light manufacturing uses.
32. Manufacture, assembly and service of electronic, communications, computer, medical, scientific, optical, photographic or technical instruments, equipment and components.
33. Manufacture, processing and assembly of metal products, including products made of sheet metal, wrought iron, light metal mesh, pipe, or wire. This use includes welding, blacksmithing and manufacture of machine components, but does not include large stampings such as motor vehicle fenders or bodies.
34. Manufacture of mulch.
35. Manufacture, of paint, not employing a boiling or rendering process.
36. Material recovery facilities – sources separated.
37. Mobile home and modular home sales and rentals, but not including occupancy.
38. Motor vehicle, construction equipment and farm equipment maintenance, repair and painting facilities, including full body repair and incidental sale of parts.
39. Motor vehicle, construction equipment and farm equipment sales.
40. Motor vehicle inspection stations.
41. Motor vehicle towing and storage facility.
42. Nonprofit clubs, lodges, community halls.
43. Offices, professional and business.
44. PET GROOMING ESTABLISHMENTS AND DAYCARE, COMPLETELY ENCLOSED.

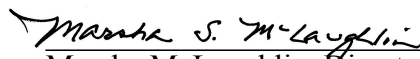
All following uses shall be renumbered.

**Section 123 (M-2, Manufacturing: Heavy District):**

**B. Uses Permitted as a Matter of Right**

4. [[Kennels]]

All following uses shall be renumbered.

	08/06/07
Marsha McLaughlin, Director	Date

NOTE: The file is available for public review at the Department of Planning and Zoning Public Information Counter.

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